

DIST/OFFICE	DOCKET YR. NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	R 23	DEMAND \$511	OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR. NUMBER
1085/4	75-0404	09-05-75	4	190	1	12				8509	P	75-0404-B

PLAINTIFFS

DEFENDANTS

PHILLIPS MACHINERY COMPANY, INC.

YARD-MAN, INC.

CAUSE

Cause of action based upon breach of an exclusive distribution Contract wrongfully breached by the defendant after goods and merchandise had been sold to third parties.

ATTORNEYS

H. Richard Raskin
Suite 1201, Mid-Cont. Bldg.
Tulsa 74103 (583-4121)
and *Danaher Man* ←
Rosenstein, Fist & Ringold
Suite 300, 525 South Main
Tulsa 74103 (585-9211)

R. Thomas Seymour
DOERNER, STUART, SAUNDERS, DANIEL
& LANGENKAMP
1200 Atlas Life Building
Tulsa, Oklahoma 74103

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORM PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	10-1-75
				JS-6	11-1-77

DATE	NR.	PROCEEDINGS
9-5-75	1.	Complaint, filed. Summons issued. rm
9-11-75		Summons returned & executed on Secretary of State, State of Okla. Okla. City, served on 9-8-75 W/fees of \$4.72, filed. mm of deft.
9-25-75	2.	Application/for Extension of Time to file answer, filed. lm
9-25-75	3.	ORDER granting ext. of time to 10-14-75, filed. (JCS-Clk) <i>ally me cps</i>
10-15-75	4.	Appl. of Deft. for Ext. of Time to file Ans., filed.jj O to J
10-17-75	5.	Order, filed, granting deft. Yard-Man, Incorporated until 10-24-75 to ans. (AEB-J)k <i>cps mld</i>
10-24	6.	ANSWER of Deft., Yard-Man, Inc., filed.jj
10-31-75	7.	Pltf's first set of interrogatories, filed. b
12-18		Deposition of Howard Raskin taken before Frank Peterson on 11-19-75 w/fees of \$99.00, filed. v
<u>1976</u>		
1-23	MO:	Parties are directed to hold PT conf. on or before 3-5-76 & file PT Order on or before 3-12-76. (AEB-J)ph cps by cert ml
1-30	8.	Deft's request for admission, filed. ph
2-6	9.	Answers to interrogatories by def., filed. rm
2-13	10.	Def. interrogatories, filed. rm
2-26	11.	Pltf's Response to deft's request for admission, filed. lm
2-26	12.	Pltf's first request for admission, filed. lm
2-27	13	Pltf's answers to deft's interrogatories, filed.k
3-4	14.	Joint appli. for ext. of time to file PT Order w/Order (to J)lm
3-8		Order, filed, granting parties until 4-15-76 to file pretrial Order. (AEB-J)g cp mld
3-24	15.	Deft's Ans. to Pltf's 1st Request for Admissions, filed.jj
3-24	16.	Pltf's 2nd Set of Interrogatories, filed.jj
3-24	17.	Pltf's 2nd Request for Admissions, filed.jj
3-30	18.	Deft's motion to dismiss, filed. ph
3-30	19.	Deft's brief in support of motion to dismiss, filed. ph
3-31	MO:	It is ordered by the Court that the Plaintiff file a responsive brief within 10 days to the deft's motion to dismiss. (AEB-J)ph cps mld
4-12	20.	Brief in opposition to Deft.'s Mot. to Dismiss, fld. v
4-12	MO	Case referred to Mag. Morris L. Bradford for F&R re deft's mot. to dismiss and pltf's response thereto. (AEB-J)k
4-16	MO	Case set for hrg. on deft's mot. to dismiss before Mag. on 5-13-76 at 11:00 a.m. (MLB-Mag)k ntc by KT
4-28	21.	Deft.'s Answer to Pltf.'s Second Request for Admissions, fld. v
4-29	22	Motion for Summary Judgment of DEFT., filed.t
4-29	23	Brf. in Support of Deft's Mot. for S/J., filed.t
4-29	MO	It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft's. Mot. for S/J. (AEB-J)t
5-10	24	Joint Appl. for Ext. of Time to File Answer Brf., filed O-J t

CONTINUED

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. <u>75-C-404</u>
Phillips Machinery Co., Inc.		Yard-Man, Inc.		PAGE <u>3</u> OF <u>2</u> PAGES ^{sheets}
DATE	NR.	PROCEEDINGS		
1976				
5-13	MO	Case called for hrg. before Mag. on deft's mot. to dismiss. Parties present. Mag. finds mot. should be denied. Pltf. counsel to prepare F&R and proposed Order w/in 5 days. (MLB-Mag)k		
5-17	25	Pretrial Order, filed.(AEB-J)t cpy to Mann & Seymour		
5-17	26	Order, filed, granting Pltf. until 5-17-76, to file Answer brief to Deft's motion for summary judgment.(AEB-J)b cps mld		
5-18	27.	Findings and Recommendations of Mag., filed. (MLB-Mag)k cps mld		
5-19	28.	Pltf's brief in opposition to deft's mot. for S/J, filed.k		
5-25		Depositions of Robert D. Horn, Sally Lewis and Dale Lewis on behalf of Plaintiff, taken before Licensed Shorthand Reporter Ann Hart, 4-1-76, filed. s		
6-1	29	Order, filed, that Deft's. motion to dismiss is overruled. (AEB-J)s cps. mld.		
6-10	30	Supplemental brief in support of defendant's motion for summary judgment, filed.s		
9-28	MO	Case set for hearing before Magistrate on Deft's Mot for S/J on 10-14-76 at 11:00 A.M. (MLB-Mag)s ntc by KT		
10-14		Case called for hearing on Deft's motion for S/J before Mag. Bradford. Parties represented. Deft's motion is overruled & Pltf to file F&R in 10 days & prepare order.(MLB-Mag) b		
10-18	31	Deft's interrogatories, filed. g		
11-1	32.	Findings & Recommendations of the Magistrate, filed. Recommends that mot. for S/J be overruled. (MLB-Mag)k cps mld		
11-10	33.	Pltf's answers to deft's interrogs., filed.s		
11-11	34.	Order, filed, that Mot. of Deft. for S/J is overruled.s (AEB-J) cps. mld.		
12-6	MO:	Case set for jury trial on 1-10-77, at 9:30 A.M.(AEB-J)b nts by cert ml w/affid.		
12-22	35.	Defts. Motion for Summary Judgment, filed. (AEB-J) nb		
12-22	36.	Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb		
12-22	37.	Affidavit of T.G. Friss, filed. (AEB-J) nb		
12-22	MO:	It is ordered by the Court that the Pltf. file a responsive brief within ten days to Deft's. Motion for S/J. (AEB-J) nb		
1977				
1-5	MO:	It is ordered that this case is stricken from the 1-10-77 jury docket pending disposition of deft's mot. for S/J filed 12-22-76. (AEB-J)k cps mld		
1-12	38.	Pltf's application for ext. of time to file ans., filed.s 0 to J		
1-14	39.	Order, filed, granting pltf. til 1-27-77 to respond to deft's mot. for S/J. (AEB-J)k cps mld		
1-27	40.	Pltf's brf. in opposition to deft's mot. for S/J, filed.s		
2-8	41.	Deft's supplemental brief in support of mot. for S/J, filed.s		
5-11	MO:	Case referred to Magistrate Robert S. Rizley for Findings and Recommendations on all motions. (AEB-J) njb		

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
5-27	MO	Case set hearing on Defts. mot. for S/J before Mag. on 6-10-77 at 10:30 A.M. (RSR-MAG) not. mld. ho	
6-10	Min	Case called for hrg. on deft's motion for S/J. Parties represented. Motion taken under advisement. Mag. to prepare findings and recommendations. (RSR-Mag)k	
9-20	MO	Mag. recommends that deft's mot. for S/J be sustained. Deft. counsel is directed to prepare F&R of the Mag. w/in 10 days. (RSR-Mag)k cps by KT	
9-27	42	Mag. findings & recommendations fld., Mag. recommends that the Defts. Mot. for S/J be sustained. (RSR-Mag.) cps mld. ho 0 to J.	
10-11	43.	Order, filed and entered, that deft's mot. for S/J is sustained. (AEB-J)k cps mld	